

JAA Doe, The Plaintiff
Case No.: 1:24-cv-00345 AT

VIA Email Pro Se efiling

Honorable Analisa Torres
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2210
New York, New York 10007-1312
Torres_NYSDChambers@nysd.uscourts.gov

May 15th, 2024

**Re:Defendant's Opposition Letter (Dkt. 53) to Plaintiff's request for voluntary dismissal
without prejudice**

Docket: Doe v. Portnow, et al., 24 Civ. 345 (AT)

Dear Judge Torres:

I am writing to respectfully request for Expedited Voluntary Dismissal of the above-captioned case without prejudice. As the plaintiff, the following points outline the urgency and the need for swift action:

1. Defendants' Opposition and Absurd Claims

The defendants' opposition to my voluntary dismissal without prejudice is perplexing. If they genuinely believe in their strong defense, they should welcome the opportunity to defend their case later. Their claim that I dismiss the case without prejudice because I know they have a strong defense is baseless and absurd.

2. My Right to Seek Voluntary Dismissal

I am exercising my right to seek voluntary dismissal without prejudice. This decision is not a tactical move but a legitimate legal action. I want to protect my rights and well-being.

3. Safety and Privacy Concerns

My safety and well-being are at risk. The defendants' attempts to discredit my credibility further exacerbate my vulnerability. Voluntary dismissal without prejudice would allow me to protect my rights and personal safety. As I stated in the previous communications, my emotional state has deteriorated,

affecting my overall health and ability to actively participate in the legal process. I am not able to proceed with the case.

4. Extended Duration and Suspicious Circumstances

My case has been pending for six months without entering the pretrial stage including a 3 months removal process from New York Supreme State Court to Federal Southern District Court. I am deeply concerned about the prolonged duration and the lack of progress. What I always heard from my withdrawn attorney and his law team was that my case was going very well even until the morning of the traumatic day, April 25th 2024. I suspect undue delay tactics or other motives by the opposing party. This lack of transparency and lack of notice damaged my trust in this legal proceedings

5. Attorney's Misrepresentation and Trust issue:

My attorney's misrepresentation has eroded my trust in the legal process. I request that the court consider my situation fairly and prioritize justice. My attorney's actions have significantly compromised my trust in the legal process. His resignation and actions without timely notification to the court placed me in a vulnerable position. My attorney even misguided me not to notify the court of his resignation for 30 days, leaving me vulnerable and without representation. This situation is alarming and undermines my rights as a plaintiff. I promptly notified the court about this situation and requested voluntary dismissal without prejudice. I am now representing myself due to my attorney's resignation. (Because of the privilege between attorney and client relationship, I cannot attach a copy of my attorney's resignation letter for your reference, however, I would submit under the protection by law.)

6. Withdrawn Attorney's Position

My attorney has already filed a motion to withdraw as my counsel. This indicates that he wants to cease representing me. I request that the court take this matter seriously and ensure a fair process.

7. My Attorney's Actions and Transparency Concerns:

- Dual Motion for Withdrawal and Defendants' Response:

My attorney's sudden withdrawal without any compensation raised suspicions despite the fact that he and his law team's hard working for my case as they emphasized. My attorney's dual motion (to withdraw while also extending time) also raises suspicion. It suggests potential bad faith, and conflicts of interest with his client, me. As it aligns with the scenarios I mentioned, I object to the defendants' motion to extend their response time.

- Summons Not Served to Neil Portnow

Also, the summons delivery issue to Neil Portnow stated in the defendant Neil Portnow's motion on April 24, document 33 is a serious matter that I cannot trust legal proceedings and my attorney's works so far.

- Neil Portnow's motion Not Served (Document no.41)

I was not served by Neil Portnow's motion document no.41 regarding the deadline of the May 9th, 2024 extension. I cannot trust current legal proceedings. As I am not even uncertain about Pro Se status due to my withdrawn attorney's pending status, I am victimized again and again.

Transparency is crucial for maintaining public trust in the legal system. Because of this lack of transparency and accuracy by my attorney, I am in fear and continuing the case could endanger my rights and safety.

8. Defendants' Absurd Request for Legal Costs and Concerns Regarding Fairness:

It is absurd for the defendants, who are the alleged perpetrators, to request legal fees from a victim who seeks voluntary dismissal without prejudice. Their attempt to portray themselves as victims and seek financial compensation is unjust and baseless. I am concerned about the overall fairness of the proceedings, given the circumstances.

9. High-Profile Defendants and Urgency

The defendants are high-profile individuals with substantial resources. Given the urgency, I seek the court's intervention to ensure a fair resolution. I was unaware of voluntary dismissal without prejudice initially, but I now understand its importance.

10. False Accusations and Fear of Retaliation

For the past six years, I have faced threats from the defendants regarding lawsuit hindrance and cover-up. I have chosen not to engage with the media to protect my privacy and safety, and to follow the law even when another accuser Deborah Dugan approached me and forced me to interview with the media.¹ I seek voluntary dismissal without prejudice to maintain my independence and safeguard my well-being. The defendants' stigmatization is baseless and harmful. Now, I genuinely fear retaliation, which has led me to request voluntary dismissal without prejudice. The defendants' false claims that I threatened them are absurd and baseless. I trust the court to uphold justice and fairness.

In Conclusion:

My rights include seeking voluntary dismissal without prejudice. The compromised trust due to my attorney's actions and the safety and privacy concerns reinforce the urgency of my request. I am exercising my right to seek voluntary dismissal without prejudice. This decision is not a threat but a legitimate legal action to protect my well-being and rights. I categorically deny any wrongdoing and stand by my request. Given the circumstances, I urgently seek the court's intervention. Voluntary dismissal without prejudice is my right, and I request its approval promptly. I want to protect my safety, well-being, and legal rights.

I request that the court consider my situation fairly. The defendants' attempts to twist my actions into threats are misleading. I am acting in good faith, and my request aligns with legal norms. I kindly request that the court expedite its ruling on my voluntary dismissal without prejudice. I am committed to pursuing justice while safeguarding my rights and safety.

¹ Grammys Chief Calls Her Removal Retaliation for Exposing 'Boys' Club', New York Times, Ben Sisario, <https://www.nytimes.com/2020/01/21/arts/music/grammys-deborah-dugan-harassment.html>

Thank you for your attention to this matter. I trust that the court will prioritize fairness and uphold the principles of justice.

Sincerely,

Certificate of Service

I certify that I served a copy of this file to the defendant via Email on May 15th, 2024 : "Reynolds, Alexandra Lexie" <AREynolds@proskauer.com>, "Bloom, Elise M." <ebloom@proskauer.com>, "Annese, Michelle A.", <MAnnese@proskauer.com> on May 15th, 2024.

I certify that I served a copy of this file on the defendant via Email on May 15th, 2024 : "Edward M. Spiro" <espiro@maglaw.com>

I certify that I served a copy of this file on the defendant via Email on May 15th, 2024 : Jeff Anderson <jeff@andersonadvocates.com>, Nahid Shaikh <nahid@andersonadvocates.com>, Trusha Goffe <Trusha@andersonadvocates.com>

*Because of the uncertain position of Jeff Anderson, I do not need to serve a copy of this file. He is no longer my attorney since May 1st. However, I serve because defendants serve. I believe Jeff Anderson is now pending in the system, so he has been receiving all documents in the ECF system.

Sincerely, yours

s/JAA Doe

JAA Doe,
The Plaintiff
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